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Docket No.: 05408/100K559-US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Patrick J. Lutz, et al.

Application No.: 10/644,578

Confirmation No.:

Filed: August 20, 2003

Art Unit: N/A

For: STABLE, LOW FREE FORMALDEHYDE,  
SYNERGISTIC ANTIMICROBIAL  
COMPOSITIONS OF ALDEHYDE DONORS  
AND DEHYDROACETIC ACID

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, attached hereto is a copy of Form PTO/SB/08 and copies of the documents listed thereon.

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO/SB/08) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing Form PTO/SB/08 next to the document. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application. This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

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A copy of each document on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is “prior art” for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: January 8, 2004

Respectfully submitted,

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Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)		<b>Complete if Known</b>			
		Application Number	10/644,578		
		Filing Date	August 20, 2003		
		First Named Inventor	Patrick J. Lutz		
		Art Unit	N/A		
		Examiner Name	Not Yet Assigned		
Sheet	1	of	1	Attorney Docket Number	05408/100K559-US1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1.	5405862			
	2.	6143204			
	3.	6121302			
	4.	3987184			
	5.	4172140			
	6.	6582627			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See attached Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	7.	E. Kull, et al., "Mixtures of Quaternary Ammonium Compounds and Long-Chain Fatty Acids as Antifungal Agents," Applied Microbiology, 9:538-541 (1961).	
	8.	Bennassi, CA, et al., "Dehydroacetic Acid Sodium Salt Stability in Cosmetic Preservative Mixtures," Int'l. J. Cosmetic Sci., 10:29-37 (1988).	
	9.	A. Gazzaniga et al.: "Controlled Release of Dehydroacetic Acid Sodium Salt for the Stability Improvement of Cosmetic Formulations," Database CA 'Online!', Chemical Abstracts Service, Columbus, Ohio, US, retrived from STN Database accession no. 122:38500; XP002262187; abstract & Internaitonal Journal of Cosmetic Science (1994), 16(3), 105-12.	
	10.	C.A. Benassi et al.: "Interaction Between Dehydroacetic Acid Sodium Salt and Formaldehyde: Structural Identification of the Product," Database CA 'Online!', Chemical Abstracts Service, Columbus, Ohio, US; retrived from STN Database acession no. 109:134818; XP002262188; cited in application ; abstract & Journal of the Society of Cosmetic Chemists (1988), 39(2), 85-92.	
	11.	International Search Report	

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.